

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NIT WANG,

Plaintiff,

4:13CV3161

vs.

**NEBRASKA PUBLIC POWER
DISTRICT (NPPD),**

Defendant.

ORDER

This matter is before the court on the defendant's Motion to Quash Subpoena (Filing No. 37). The defendant attached the Subpoena to Produce Documents to the motion. The plaintiff did not file a response.

The defendant seeks to quash a subpoena issued on July 29, 2014, by the court on behalf of the *pro se* plaintiff. The subpoena seeks to have the defendant produce documents, namely "Emails throughout Nit Wang's employment period (May 17, 2004 - September 14, 2012)." *Id.* at 4. The defendant opposes compliance with the subpoena because the subpoena was issued after the end of the discovery period, the request for production is overly broad, and relevant responsive documents were previously produced. *Id.* at 2-3.

On April 4, 2014, the court issued a progression order authorizing the parties to serve written discovery requests, including requests for production or inspection of documents only until May 30, 2014. **See** Filing No. 25. No party sought an extension of this deadline. The plaintiff fails to show good cause for extension of the deadline or excusable neglect for failure to comply with the deadline. **See** Fed. R. Civ. P. 6. Nor has the plaintiff shown any relevant previously unproduced Emails exist. Accordingly,

IT IS ORDERED:

The defendant's Motion to Quash Subpoena (Filing No. 37) is granted.

Dated this 23rd day of September, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge